

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6556

BILL NUMBER: HB 1167

NOTE PREPARED: Jan 30, 2009

BILL AMENDED: Jan 29, 2009

SUBJECT: Actions Based on Exposure to Hazardous Substances or Asbestos.

FIRST AUTHOR: Rep. Tyler

FIRST SPONSOR:

BILL STATUS: 2nd Reading - 1st House

FUNDS AFFECTED: X GENERAL
X DEDICATED
X FEDERAL

IMPACT: State & Local

Summary of Legislation: (Amended) This bill provides statutes of limitations for causes of action for occupational disease, deficiencies in the design, planning, supervision, construction, or observation of construction of an improvement to real property, and product liability when the cause of action is based on an exposure to a hazardous substance.

The bill provides for a one-year period, ending July 1, 2010, to file an otherwise time-barred cause of action based on an exposure to a hazardous substance.

The bill requires a court to award attorney fees if the court makes certain findings.

The bill limits liability for certain asbestos claims. It also limits civil liability from asbestos claims for certain corporations.

Effective Date: July 1, 2009.

Explanation of State Expenditures: The impact on the state would be as an employer.

The bill changes the time limitation for the date of last exposure to a time limitation of when the employee discovers the problem.

The bill also allows employees who had a claim barred because of the time limitation to refile the claim.

State expenditures for worker's compensation benefits were \$1.02 M for FY 2008, \$1.41 M for FY 2007, and

\$1.44 M for FY 2006.

Explanation of State Revenues:

Explanation of Local Expenditures: The impact on local governments would be as an employer.

Explanation of Local Revenues:

State Agencies Affected: All.

Local Agencies Affected: All.

Information Sources:

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